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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,730	02/02/2006	Yasuyuki Tanaka	1691-0213PUS1	2171
2292 7590 10/28/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER SCOTT, ANGELA C				
ART UNIT		PAPER NUMBER		
1796				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Response to Arguments

Applicant's arguments, see pages 5-6, filed October 8, 2009, with respect to the rejection under 35 U.S.C. 112, first paragraph have been fully considered and are persuasive. The rejection of claims 1 and 3-7 has been withdrawn.

However, the limitation to which this rejection pertains, "said natural rubber originating from natural rubber latex containing allergic proteins, which allergic proteins cause Type I allergy," describes the starting material rubber. The claim is to a final product natural rubber having or not having certain characteristics. The starting material rubber is only pertinent if a different natural rubber starting material would produce a different final product with different structure. Due to this fact, the Office has stated that a proper showing comparing the two different types of natural rubber starting materials, i.e., one containing proteins causing Type I allergies and one not containing those proteins, would be beneficial in helping to overcome the 103 rejection of record. This showing should demonstrate that some type of structure that is present at the beginning of the process is carried through the process resulting in different end products depending upon the type of starting natural rubber. Therefore, until something such as the above can be shown, this limitation is given little patentable weight.

Applicants further arguments presented pertaining to issues under 35 U.S.C. 103(a) have not been considered as they pertain to issues that require further search and/or consideration.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela C. Scott whose telephone number is (571) 270-3303. The examiner can normally be reached on Monday through Friday, 8:30am to 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on (571) 272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. C. S./

Examiner, Art Unit 1796

October 20, 2009